

## DECLARATION AND POWER OF ATTORNEY

I, the below named inventor, hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I verily believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **Brake Pad Holder**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendments specifically referred to in the oath or declaration.

I do not know and do not believe the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application, in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a), and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows: NONE.

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I hereby appoint the following attorneys and agents with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Robert E. Pitts, Registration No. 27,371; Jeffrey N. Cutler, Registration No. 35,486; Raymond E. Stephens, Registration No. 42,170; Peter L. Brewer, Registration No. 41,636; J. Kenneth Hoffmeister, Registration No. P-43,675; and Louise A. Brambani, Registration No. 37,785. Address all telephone calls to Pitts and Brittian, P.C., at telephone number (423) 584-0105.

I request that all correspondence be directed to Pitts and Brittian, P.C., P.O. Box 51295, Knoxville, Tennessee 37950-1295.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Mark W. Irvine  
Inventor - Mark W. Irvine

Date: 12-18-98

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Applicant or Patentee: Mark W. Irvine

Serial or Patent No.: \_\_\_\_\_

Attorney's

Docket No. 24232

Filed or Issued: \_\_\_\_\_

For: Brake Pad Holder

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(F) AND 1.27(b) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled Brake Pad Holder described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non profit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization  
☐ persons, concerns or organizations listed below\*

\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Mark W. Irvine

NAME OF INVENTOR

Mark W. Irvine

Signature of Inventor

12-18-98

Date